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CIA may be off limits, senators say

2 voice fears on role of U.S. in Nicaragua

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WASHINGTON — Two members of the Senate Intelligence Committee told their colleagues Tuesday that the Reagan Administration may be violating congressional limits imposed on covert U.S. activities against Nicaragua's Sandinista government.

Sens. Daniel Patrick Moynihan (D., N.Y.), the committee's vice chairman and ranking minority member, and Patrick Leahy (D., Vt.) charged that the situation in Central America has created a "crisis of confidence" between Congress and the intelligence community.

They said many congressmen no longer believe the administration is complying with the limits placed on covert action last year by the Boland Amendment.

The amendment sponsored by Rep. Edward Boland (D., Mass), chairman of the House Intelligence Committee, prohibits the CIA or the Defense Department from spending federal funds "for the purpose of overthrowing the government of Nicaragua or provoking a military exchange between Nicaragua and Honduras."

The still-classified guidelines approved by the congressional committees reportedly did authorize the CIA to supply weapons, training and guidance to anti-Sandinista counterrevolutionaries in an effort to halt Nicaraguan shipments of weapons to leftists fighting the U.S.-backed government in El Salvador.

Aides to Moynihan and Leahy said the administration should regard their decision to address the Senate as a warning to rein in the operation in Central America. Otherwise, they said, it faces the possibility of legislation aimed at cutting off all support for anti-Sandinista guerrillas, or at least the tightening of guidelines.

"If one is to believe the detailed accounts seen in the press in recent days," Leahy said, "the administration is actively supporting, and perhaps even guiding, a large-scale anti-Sandinista guerrilla movement now involved in open combat inside Nicaragua.

"From reported statements of some anti-Sandinista leaders, the apparent ... aim of their military campaign is to overthrow the present government of Managua," Leahy said.

In one of the most recent of these press reports, The New York Times Sunday quoted an unnamed Honduran source as saying the United States was extensively involved in training and arming the rebels before they entered Nicaragua from Honduras.

The Times account said the U.S. assistance to the guerrillas included information on Nicaraguan troop movements, the shipment of planeloads of arms and ammunition to Miskito Indians last August, and underwater equipment and explosives for Argentine-trained sabotage teams infiltrated into Nicaragua earlier this year to blow up port facilities at Puerto Cabezas on the Caribbean coast.

The Times account also reported that more than 50 out-of-uniform U.S. military advisers of Hispanic background had trained rebel paramilitary units in Honduras last year.

The intelligence-gathering operation, code-named Royal Duke, was carried out in part by U.S. Air Force personnel making regular reconnaissance flights along the Nicaraguan-Honduran border, The Times said. The reports were then given to the Honduran military with the understanding that they were to be passed on to the rebels.

The Times quoted the Honduran source as saying that the covert operation, run by U.S. Ambassador John Negroponte and Honduran military chief Gen. Gustavo Alvarez, was directed from three command centers — the rebels in southern Honduras, the Honduran military from its headquarters in Tegucigalpa and the U.S. Embassy in Tegucigalpa.

Leahy said that both the Senate and House intelligence panels have been "concerned for a considerable period about U.S. activities in Central America, their nature and scope, and above all their purpose."

Leahy noted that in January he had toured several Central American countries, accompanied by "nonpartisan" staff of the intelligence panel, and had prepared a "highly classified" report for the committee on CIA activities in the region.

"That report bears materially on the question of whether the executive branch is complying with both the letter and the spirit of the restriction placed on it by the intelligence committees," Leahy said, urging senators to read the document.

"What we are dealing with here is not a partisan issue of whether the administration's Central America policy is right or wrong," Leahy declared. "The question is whether it is within the letter and the spirit of the law."

He stated: "Differing perceptions over the objective of U.S. activities in Central America have created a crisis of confidence between the intelligence committees and the intelligence agencies."

The committees, he said, "have an obligation to remove this crisis of confidence, and to assure the American people and our colleagues in the Congress that the law of the land is being obeyed."

In a subsequent interview, Leahy said his personal belief was that the administration "may be" in violation of the Boland restrictions, but declined to discuss his report in detail.

He said, however, that in conversations with CIA operatives in Central America, he had come to the conclusion that the CIA and the administration as a whole believe they are complying with the law.

"These CIA men told me that they have advised the counterrevolutionaries that whatever they are doing is simply directed at interdicting the flow of arms toward El Salvador, and not toward overthrowing the Sandinista government," said Leahy, "but maybe events have overtaken them."

Moynihan, who has been increasingly outspoken about the covert

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activities, seconded Leahy's remarks and said that the administration may also be violating the Organization of American States charter, which prohibits any country from intervening "directly or indirectly" in the internal affairs of another.

"The fact that Nicaragua is already violating provisions of the charter does not free another state [to do] the same," he said.

In a lengthy prepared statement, which he did not read but had entered into the record, Moynihan said that "no one appreciates more that the present regime in Managua is quickly going the way of other totalitarian regimes ... nevertheless ... the law is the law."

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